

CALIFORNIA HORSE RACING BOARD
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CAL-EXPO HARNESS ASSOCIATION

**TO THE CALIFORNIA HORSE RACING BOARD
HONORABLE ARNOLD SCHWARZENEGGER, GOVERNOR**

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RICHARD "BON" SMITH, ASSISTANT EXECUTIVE DIRECTOR**

Proceedings of the Board of Stewards for the period of Monday, October 06, 2008 through Sunday, October 12, 2008. Steward Michael W. "Wayne" Oke was the Reporting and Duty Steward for the enclosed period.

Monday

10/06/08 (1) Entries/Draw for Thursday 10/09/08

Entries were taken and a draw held for the card to be raced on Thursday.

At the draw, which commenced at 11:45 a.m., ninety four (94) horses were entered to compete in twelve (12) events. Scratch time is Tuesday at 9:00 a.m.

10/06/08 (2) Horse Population on the Rise

As witnessed by the number of races carded for Thursday's races (12), the number of available horses will increase weekly, which bodes well for a return to four (4) nights of racing per week.

10/06/08 (3) Dark Day

Tuesday

- 10/07/08 (1) **Scratch Time for Thursday 10/09/08**
Scratch time for Thursday's card saw seven (7) driver changes, two (2) trainer changes, and one (1) steward's scratch.
- 10/07/08 (2) **Trainer Exam – Brian Marchand**
Licensee Brian Marchand took the trainers test (orally). Brian was successful in his effort and will soon be assembling his own stable.
- 10/07/08 (3) **Entries/Draw for Friday 10/10/08**
Entries were taken and a draw conducted for Friday's card. At the 1:00 p.m. draw there were one hundred eleven (111) head scheduled to compete in fourteen (14) events. Scratch time is Wednesday at 9:00 a.m.
- 10/07/08 (4) **Dark Day**

Wednesday

- 10/08/08 (1) **Scratch Time for Friday 10/10/08**
At scratch time there were three (3) driver changes, two (2) trainer changes and two (2) scratches. The trainer (Nick Casale) was summoned to the steward's office to explain the two scratches. In the opinion of the duty steward, both the explanation and the licensee's attitude were unacceptable. More to follow.
- 10/08/08 (2) **Entries/Draw for Saturday 10/11/08**
Entries were taken and a draw conducted for Saturday's card.

In the draw, which commenced at 11:15 a.m., One hundred sixteen (116) horses were drawn to compete in fifteen (15) events. A further indication of the ever increasing number of horses available to the race office. Scratch time for the card is 9:00 a.m. tomorrow.
- 10/08/08 (3) **Dark Day**

Thursday

- 10/09/08 (1) **Scratch Time for Saturday 10/11/08**
At scratch time there were six (6) driver changes and one incorrectly coupled entry to be revised.
- 10/09/08 (2) **Qualifying Races – Entries and Sheet**
Entries were taken and a qualifying sheet produced for six (6) qualifying races to be contested today at 4:00 p.m.

- 10/09/08 (3) **Informal Hearing – Bruce Clarke**
Driver Bruce Clarke attended in the steward's office to discuss his drive on #4 "Moonlight Bliss" on Saturday, October 04, 2008. Mr. Clarke was observed looking over his shoulder in the stretch. The stewards accepted Clarke's explanation; however, he was cautioned to devote his full attention towards the front of the field and to stay focused at the wire.
- 10/09/08 (4) **Qualifying Race Delay – Six (6) Minutes**
The qualifying races were delayed approximately six (6) minutes when the video personnel from "Pegasus" were late for the four (4) p.m. post time.
- 10/09/08 (5) **Qualifying Races**
Qualifying races were held commencing at 4:10 p.m. under the supervision of Stewards Baker and McLaren. In six (6) qualifying events, twenty five (25) of thirty three (33) participants were successful in their qualifying efforts.
- 10/09/08 (6) **First Race – Timer Malfunction**
The 1/4 mile time in this race appeared on the tote board as 26 seconds flat, an event caused by the on track timer tripping prematurely. This segment of the race was re-timed by the stewards utilizing the video and the correct 1/4 mile time found to be 28². All records were changed to reflect the correct time.
- 10/09/08 (7) **Race #'s 1 & 2 – Saddle Pad**
Cal Expo currently has a problem with entries utilizing the new USTA system, i.e. 1A, 2A, 3A as opposed to the old system, i.e. 1A, 2B, 3C. Management is aware of the situation and has promised corrective measures by Thursday, October 16, 2008.
- 10/09/08 (8) **Fifth Race – Driver Sanction**
Driver John McKeon, Jr. was contacted by the stewards following Race #5 when his horse "Southwind Sierra" was noticeably 'off the gate'. Mr. McKeon's explanation was not acceptable. After having been informed of this fact, Driver McKeon waived his right to a hearing, thus the stewards issued the following ruling:
- Ruling # 21**
- Driver John McKeon Jr., who drove "Southwind Sierra" in the Fifth Race at Cal-Expo on Thursday, October 9, 2008, is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1731(G) (Starting Rules – Failure to Come Up into Position).*
- 10/09/08 (9) **Tenth Race – Driver Sanction**
The steward contacted Driver Steve Wiseman at the conclusion of Race #10 when his horse "Princess Markoni" was observed pulling late on #7 "Preciosita" at the 3/4 pole, forcing him three (3) wide. Driver Wiseman was ordered to film review. #7 finished ahead of #1, thus no change in the order of finish was warranted. Driver Wiseman was ordered to film review.

10/09/08 (10) **Program Changes**

9th Race Declaration - #2 "Turbulent N" – Trainer Richard Dunneback
 Refund: \$3 Sick – Dr. Goodbary
 11th Race Declaration - #1 "Fast N Furious" – Trainer Raul Escobedo
 Refund: \$2 Injured – Dr. Goodbary

10/09/08 (11) **Attendance and Handle**

Attendance	238
Live Handle (On Track)	\$28,548
Handle (In State)	\$287,060
<u>Handle (Out of State)</u>	<u>\$218,648</u>
Total Handle	\$534,256

Friday10/10/08 (1) **Driver Tim Clevenger – Film Review**

Driver Tim Clevenger, who drove #6 "Air Ivy" in the first race on Saturday, October 4, 2008, was present in the steward's office to explain his horses 'failure to come up into position' during the start. Driver Clevenger, via the films and verbally explained, that his horse was 'bad gaited' during the start, forcing him to steady and thusly be 'off the gait'. The stewards unanimously concluded that Driver Clevenger's explanation was viable, thus no penalty was warranted. It is noteworthy that #1 "Air Ivy" broke stride before the 1/4 mile marker and was subsequently placed on the steward's list.

10/10/08 (2) **Driver Luke Plano – Film Review – Informal Hearing**

Driver Luke Plano was present in the steward's office to review his failure to properly 'post parade' #1 "Noam N" prior to race #5 on Saturday, October 04, 2008. Driver Plano was observed turning right upon exiting the paddock without any prior communication with the officials, as opposed to turning left and passing in front of the grandstand as is the norm. Additionally, when Outrider Billy Don Wainscott, on orders from the stewards, attempted to bring Driver Plano and his mount in front of the stands, Driver Plano was uncooperative.

In discussions with the stewards, Driver Plano was reluctant to admit his responsibility in ensuring compliance with the rules and displayed a rather militant attitude toward the stewards. In light of these facts, the stewards issued the following ruling:

Ruling # 20

Driver Luke Plano, who drove "Noam N" in the Fifth Race on Saturday, October 04, 2008, is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1695 (Failing to Post Parade).

10/10/08 (3) **Program Changes**

None

10/10/08 (4)	<u>Attendance and Handle</u>	
	Attendance	349
	Live Handle (On Track)	\$41,859
	Handle (In State)	\$437,993
	<u>Handle (Out of State)</u>	<u>\$322,172</u>
	Total Handle	\$802,024

Saturday

10/11/08 (1) **Film Review – Jason Maier**

Driver Jason Maier, who drove first place finisher, #2 “Little Rooster” in Friday’s fourteenth race, attended in the steward’s office to review films of this event. In the stretch, #2 entered the stretch in the two path with #6 “Shock Broker” (Bruce Clarke) to his outside, throughout the stretch #2 bore out, carrying #6 with him. At the wire #2 was in the 5 or 6 path with #6 to his outside. At the wire #2 prevailed by a nose, however after reviewing films and speaking with the drivers involved, the stewards unanimously agreed to reverse the order of the win and place finishers. Driver Maier explained that his horse had a chronic problem of bearing out and to this point he had been unable to find a solution to the problem. The stewards, while sympathetic to the situation, felt the actions of #2 had cost the #6 an ‘opportunity for a better placing’. A decision that Driver Maier felt was reasonable. The following ruling was issued:

Ruling # 23

Driver Jason Maier, who drove #2 “Little Rooster” in the Fourteenth Race on Friday, October 10, 2008, is hereby fined the sum of Two Hundred (\$200) Dollars for violation of California Horse Racing Board Rule #1721 (J) (Driving Rules – Change Course After Selecting A Position In The Home Stretch, Or Bear In Or Out, In Such A Manner As To Interfere With Another Horse Or Cause Him To Change Stride Or Break) - (Bore Out In The Stretch Carrying #5 “Shock Broker” Out Causing Him A Chance At A Better Pacing) resulting in a disqualification.

10/11/08 (2) **Provisional Driver Sabrina Shaw – Hearing Waived – Sanction**

Provisional Driver Sabrina Shaw, who drove #8 “Ailene’s Prince” in race #10 on Friday’s card, waived her right to a hearing in a telephone conversation with the stewards; subsequently the following ruling was issued:

Ruling # 22

Provisional Driver Sabrina Shaw, who drove “Ailene’s Prince” in the Tenth Race at Cal-Expo on Friday, October 10, 2008, is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1731(G) (Starting Rules – Failure to Come Up into Position).

10/11/08 (3) **Seventh Race – Colt/Gelding Program Error**

The stewards were contacted between race #4 and #5 by Horse Identifier Carl Sobey and informed that #8 “Snooz Attack”, scheduled to start in Race #7, while identified in the program as a ‘colt’ was in fact a ‘gelding’. Investigator Marty Snezek was apprised of the situation and will investigate. Trainer Rocky Stidham was ordered to meet with the stewards on Thursday, October 16, 2008. More to follow.

10/11/08 (4) **Tenth Race – Inquiry/Change**

The stewards posted the ‘inquiry sign’ at the conclusion of Race #10 to investigate an incident in the first turn when #4 “Jill’s Sooter” (Gilbert Herrera) went ‘off-stride’ and appeared to bother several rivals. After viewing films, the stewards unanimously concluded that #4 had, in fact, bothered several others and the following changes in the order of finish was ordered. Driver Herrera was considered blameless in the incident.

Original order of finish: 2-5-1-8-9-7-6-4-3-10

Official order of finish: 2-5-1-8-9-7-6-3-4-10

10/11/08 (5) **Eleventh Race – Inquiry/No Change**

The ‘inquiry sign’ was posted at the conclusion of Race #10 to investigate an incident approaching the 1/2 mile marker when several horses were in very close quarters. After viewing films, which were not very clear, the stewards unanimously concluded that the participants handled the situation well. Thus no change.

10/11/08 (6) **Race #14 “Noam N” – Post Parade/No Problem**

#5 “Noam N”, who had been the subject of some controversy during his previous start, (October 04, 2008). Due to the efforts of Driver Luke Plano and Trainer Tom Wine II, the post parade was conducted without incident.

10/11/08 (7) **Fifteenth Race – Inquiry/Change**

The ‘inquiry sign’ was posted to investigate an incident approaching the 3/4 mile marker when #1 “Larry Horse” (Rick Plano) was observed inside the pylons. After viewing films (the quality of which is questionable), the stewards unanimously concluded that #1, who finished third (3rd), was disqualified and placed fourth (4th) for violation of the ‘pylon rule’. Driver Rick Plano was ordered to film review. More to follow.

Original order of finish: 7-6-1-2-8-3-4-5

Official order of finish: 7-6-2-1-8-3-4-5

10/11/08 (8) **Driver L. Svendsen – Equals Career Best**
Trainer Bob Johnson – Great Week

Driver Lemoyne “Mooney” Svendsen equaled his career best night with a total of six (6) wins on the fifteen (15) race card.

Additionally, Trainer Bob Johnson concluded a great week, amassing a total of ten (10) wins over the three (3) nights of racing. Congratulations to both.

10/11/08 (9) **Tote/Timer/Video Problems**

The evening's card was marred by several system problems listed below:

Race #2 – The final time on the tote board display showed 1.58 flat; the actual time and the time displayed on the monitors 1.58¹.

Race #8 – At the conclusion of Race #8, the tote board 'locked up', not allowing the display of the final order of finish or the mutuel payoffs. The TV monitors displayed the corrected information. This forced the stewards to go 'official' without the benefit of the tote board display. After a 3-4 minute delay, the situation was rectified and the tote board display functioned properly for the remainder of the card.

Race #9 – The final time on the tote board display showed 1.55 flat; the actual time and the time displayed on the monitor was 1.54 flat.

There also appears to be a problem with the track lighting system in the final turn and at the finish wire; A situation which causes glare on the video available to the stewards and a situation which adversely affects the steward's ability to view films and adjudicate incidents which occur during the course of the live racing program.

The continual failure of video and photo finish personnel to be 'on time' for qualifying programs is also a source of irritation to the stewards and the participating licensees.

The stewards are attempting to make management aware of these problems. More to follow.

10/11/08 (10) **Program Changes**

6th Race Declaration - #7 "Titan Seelster" – Trainer Bob Johnson

Refund: \$8 Injured – Dr. Goodbary

7th Race Program Correction - #8 "Snooz Attack"

Should Read – Gelding

14th Race Declaration - #6 "Youngblood Hanover" – Trainer Etienne Desomer

Refund: \$2 Injured – Dr. Goodbary

15th Race Program Correction - #5 "Park Y'R Amazing"

Should Read – Trainer Frank Petrelli

10/11/08 (11) **Attendance and Handle**

Attendance	390
Live Handle (On Track)	\$58,034
Handle (In State)	\$487,512
Handle (Out of State)	<u>\$303,057</u>
Total Handle	\$848,623

RULINGS ISSUED THIS WEEK

- | | | |
|----------|----|--|
| 10/10/08 | 19 | Driver Steve Wiseman, who drove #1 "Princess Markoni" in the Tenth Race on Thursday, October 09, 2008, is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1721 (F) (Driving Rules – Carry a Horse Out Before the 3/4 Pole – #7 "Preciosita"). |
| 10/10/08 | 20 | Driver Luke Plano, who drove "Noam N" in the Fifth Race on Saturday, October 04, 2008, is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1695 (Failing to Post Parade). |
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W E E K L Y S U M M A R Y

ATTENDANCE REPORT -

The full Board of Stewards was in session each day during this reporting period for both morning business and the afternoon racing program.

VETERINARIAN RECOMMENDED SCRATCHES

Date	Race	No.	Horse	Trainer	Reason	Vet	Refund
9-Oct	9	2	TURBULENT N	DUNNEBACK	Sick	Goodbary	\$3.00
	11	1	FAST N FURIOUS	ESCOBEDO	Injured	Goodbary	\$2.00
11-Oct	6	7	TITAN SEELSTER	JOHNSON	Injured	Goodbary	\$8.00
	14	6	YOUNGBLOOD HANOVER	DESOMER	Injured	Goodbary	\$2.00

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	14,331.50
Fresno Club One	\$	3,859.90
Golden Gate	\$	46,456.50
Monterey	\$	10,001.60
Pleasanton	\$	33,000.20
Sacramento	\$	108,535.60
San Jose	\$	41,367.70
San Mateo	\$	83,523.20
Santa Rosa	\$	7,387.10
Stockton	\$	28,305.40
Tulare	\$	792.30
Vallejo	\$	20,288.90
Racing Fairs	\$	7,767.10
Out of State	\$	843,876.66

**CAL-EXPO HARNESS ASSOCIATION
SUMMARY
2008**

	Mon 10/06	Tues 10/07	Wed 10/08	Thurs 10/09	Fri 10/10	Sat 10/11	Total Week	Total Meet
Accidents	D	D	D	0	0	0	0	0
Cal-Bred Races	A	A	A	0	0	0	0	0
Claims	R	R	R	0	0	0	0	3
Disqualifications	K	K	K	1	1	2	4	9
Inquiries	D	D	D	1	1	3	5	14
Refunds	A	A	A	2	0	2	4	13
Rulings	Y	Y	Y	0	3	2	5	23

**Stewards Attendance: Stewards Oke, Baker and McLaren were in attendance.
All drivers submitted to a breath analyzer test.**

Michael W. "Wayne" Oke, Steward

Grant Baker, Steward

Brent McLaren, Steward